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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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WARD KRAFT, INC.
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EXAMINER

PARK, JOHN J

ART UNIT PAPER NUMBER

2876

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/813,932 | SCHROER, DAN J. | |
| | Examiner | Art Unit | |
| | John J. Park | 2876 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed in March 31 2004 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

There is no reference listed in the PTO-1449 Form. If the applicant intends to list any reference, the examiner requests the applicant to use the PTO-1449 Form. Appropriate correction is required.

Claim Objections

2. Claim 19 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. A claim cannot depend itself. Appropriate correction is required.

3. Claim 1 is objected to because of the following informalities: There is a spelling error in the word “at lease” in line 11 of claim 1. The word should be corrected by “at least”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-8, 11, 12, and 21 are rejected under 35 U.S.C. 102(b) as anticipated by Engelson et al. (U.S. patent No. 6,671,563).

Re claim 1, a system for providing recognition elements to a small group or family (See Fig. 3, 4), comprising;

a package of printable identification bands; each of the bands sized and configured to fit around an appendage (See Fig. 4);

readable software to enable the rendering of information to at least one of said bands contained within said package (See Col. 2 Line 38-41);

a computer means for reading said readable software (See 90, 95 in Fig. 1);

an input means for inputting information into said computer means based on inquiries received from said software (See 62, 82 in Fig. 1);

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a connection means for connecting said computer means to a printer (See Fig. 1); and
said printer for imaging indicia on at least one of said bands (See Col. 2 Line 62-66).

Re claim 2, a system as recited in claim 1, wherein said connection means includes a
global communication network (See Fig. 14, 15).

Re claim 3, a system as recited in claim 1, wherein said computer means and said printer
are located at locations remote from one another (See Fig. 1).

Re claim 4, a system as recited in claim 1, wherein said computer means and said printer
are located at a single location (See Fig. 1).

Re claim 5, a system as recited in claim 1, wherein said communication means includes a
local area network (See Fig. 1).

Re claim 6, a system as recited in claim 1, wherein said software is provided on a
compact disc (See Col. 5 Line 5-13).

Re claim 7, a system as recited in claim 1, wherein said input means is a keyboard (See
62, 82 in Fig. 1).

Re claim 8, a personal identification package for a group or family, comprising;
a group of at least partially blank wristbands (See Fig. 4; Fig. 6);
a set of computer readable instructions for producing data on at least one of said partially
blank wristbands (See Fig. 4-6);

a set of human readable instructions for using said computer readable instructions and
said wristbands (See Fig. 4-6); and

a container for containing said partially blank wristbands, said computer readable
instructions and said human readable instructions (See Fig. 6).

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Re claim 11, a personal identification package as recited in claim 8, wherein said package further includes a series of removable, decorative labels for use in personalizing at least one of said wristbands (See Fig. 6).

Re claim 12, a personal identification package as recited in claim 8, wherein said computer readable instructions are provided on a compact disc (See Col. 4 Line 63-Col. 5 Line 14).

Re claim 21, a method of marketing a personal identification package to small groups and families, comprising the steps of;

producing a package, said package containing at least one imprintable identification band (See Fig. 4) and computer readable software (See Col. 2 Line 38-41);

creating marketing collateral targeted at small groups or families (See Fig. 12); and
distributing said package in response to requests from small groups or families (See Fig. 12).

Therefore, Engelson et al. reasonably can be read to describe every limitation of claims 1-8, 11, 12, and 21.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Engelson et al. (U.S. patent No. 6,671,563) in view of Jackson (Pub. No. U.S. 2003/0213843).

Re claim 9, Engelson et al. disclose a barcode encoded wristband printed of the information of patient's vital information (See Fig. 4). A sheet of barcode labels can be affixed to various containers or devices (See Fig. 6), so the barcode can be read using a computerized barcode reader. The containers or devices have a patient's name and other information printed thereon in order to identify the patient (See Fig. 4-6).

However, Engelson et al. fail to teach marketing materials on the package relating to possible applications for said identification package.

Jackson discloses printing information regarding the participants of an event on a wristband-ticket (See Fig. 5, 6).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the printing information of the event on a wristband-ticket as taught by Jackson into the teachings of Engelson et al. in order to list the form of the event information on the wristband that it would provide the available event information to a participant for better announcing of the event.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Engelson et al. (U.S. patent No. 6,671,563) in view of Mullins et al. (Pub. No. U.S. 2004/0056088).

Re claim 10, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach promotional offers in the package to consumer products or services.

Mullins et al. disclose different styles of wristbands making with different colors in association with different prepayment amounts for promotional purposes (See Col. 3 [0028], [0029]).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ different color styles of wristbands with different prepayment amounts as taught by Mullins et al. into the teachings of Engelson et al. in order to apply different color styles to wristbands associated with different prepayment amount that it would indicate the wristband can be different predefined exchange value for better promotion to participants.

9. Claims 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engelson et al. (U.S. patent No. 6,671,563) in view of Lancos et al. (Pub. No. U.S. 2002/0074398).

Re claim 13, Engelson et al. disclose a barcode encoded wristband printed of the information of patient's vital information (See Fig. 4). A system of patient management of software programs operates on the CPUs to record, process, and produce reports from a database.

However, Engelson et al. fail to teach inputting information into a first data field in response to queries received from said software for a first participant in a group or family activity; determining whether additional participants are available for said group or family activity; selecting whether to print said first data field onto at least a first wristband or continuing with inputting data relating to additional participants; and printing said at least a first wristband with said first data set.

Lancos et al. disclose a group option of the process operation to allow a guest to create a group comprising of a plurality of guest members (See Fig. 13). The system processor via a display prompts the guest whether another member is to be added to the group (See 1368 in Fig. 13). The operator at the admittance service processor writes the tag identifier to the identification tag, such as a bracelet, wristband, or attachment pin, and repeat the steps until all the identification tags for the members of the group have been written to (See Fig. 11).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the step of admittance process at the admittance service terminal to input a guest information and print identification tags for the guest in the group as taught by Lancos et al. into the teachings of Engelson et al. in order to provide the inputting and printing flow step for each guest of a group to software program that it would operate an admittance service with database for easy determining and printing identification tag.

Re claim 14, wherein each of said wristbands created through the method is provided with personalized and fixed information (See Fig. 4-6 in Engelson et al.).

Re claim 15, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach the fixed information selected from a group including family information, group data, dates of an activity, name of an activity, place of an activity and combinations thereof.

Lancos et al. disclose that a central server creates a group data object to identify guests that belong to a group to manage events through an event data object (See Fig. 8-10).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the group data object to identify group guests to manage

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events through an event data object as taught by Lancos et al. into the teachings of Engelson et al. in order to store a group data object for managing events through an event data object for transaction of the activity of large number of guests in a group.

Re claim 16, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach that said personalized information is selected from a group including physical descriptions of participants, birth dates, name and addresses, phone numbers, contact information and combinations thereof.

Lancos et al. disclose that each group data object contains information concerning the group members and group parameters (See Fig. 8-10).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the group data object concerning the group members and group parameters as taught by Lancos et al. into the teachings of Engelson et al. in order to store a group data object for the a data field containing information related to the guest's name, statistical and demographic information, and activities for managing large number of guests in a group.

Re claim 17, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach the additional step of positioning at least one wristband in a printer prior to the step of printing said at least one wristband.

Lancos et al. disclose that the steps of writing and distributing the ID tags are repeated until all the ID tags for the members of the group have been written to and distributed (See 1128-1134 in Fig. 11).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the repeating steps of writing and distributing the ID tag until all the process for the members of the group has been finished as taught by Lancos et al. into the teachings of Engelson et al. in order to program the writing and distributing step to the wristband to issue the identification for every member of the group.

Re claim 18, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach an additional step of placing said at least one wristband on a participant for the activity after the step of printing said at least one wristband.

Lancos et al. disclose the identification tag of wristband allowing guests to reserve times for attraction rides, restaurants, and other events, and essentially schedule their daily activities at the coverage area (See Fig. 1).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the identification tag of wristband scheduling the daily activities for guests at the coverage area as taught by Lancos et al. into the teachings of Engelson et al. in order to communicate the identification tag with RFID reader to transmit and receive the information of activities in the way of network system for better performing in the coverage area.

Re claim 19, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach that an additional step of removing said at least one wristband from a participant after the step of placing.

Lancos et al. disclose removing reservation time from the reservation field after the guest checks in (See Col. 7 [0076]).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the removing step reflected by guest check-in as taught by Lancos et al. into the teachings of Engelson et al. in order to update the information data of guest passes through the system that it reduce current capacity of an event for usability of the event.

10. Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engelson et al. (U.S. patent No. 6,671,563) in view of Mullins et al. (Pub. No. U.S. 2004/0056088).

Re claim 20, the teachings of Engelson et al. have been discussed above.

However, Engelson et al. fail to teach that an additional step of sealing said at least one wristband to create a laminated wristband after the step of printing said at least one wristband.

Mullins et al. disclose a clear matte polyester laminate for the wristband cover (See Col. 2 [0023]).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the polyester laminate cover for the wristband as taught by Mullins et al. into the teachings of Engelson et al. in order to cover the printed identification tag on the wristband with a waterproof condition for flexibility and protection.

Re claim 22, Engelson et al. disclose a barcode encoded wristband printed of the information of patient's vital information (See Fig. 4), and a system of software programs operates to record, process, and produce reports from a database (See Col. 2 Line 38-41). The care management system in which the management of the administration of care for groups of

patients is automated (See Fig. 12). Patient data is input by users of the personal computers, and is stored in a data storage device connected to the file server (See Fig. 1).

However, Engelson et al. fail to teach a further step of inserting promotional offerings in the package after the step of producing the package.

Mullins et al. disclose graphic areas in the wristbands with different color styles employed for promotional purposes (See Fig. 4).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the graphic areas in the wristbands for promotional purposes as taught by Mullins et al. into the teachings of Engelson et al. in order to provide different color styles of graphic for the wristbands that it would characterize different payment value for promotional purpose.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Forte-Pathroff (U.S. patent No. 5,423,574) discloses the child loss prevention system including a wrist bracelet that is given to a child and accompanying adult at the time the child is left with a child care facility or upon entering a large public facility; Schintz et al. (U.S. patent No. 6,641,048) disclose the elongate strip including adhesive contact portions and one or more laterally-placed adhesive winged detents.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Park whose telephone number is 571-272-2350. The examiner can normally be reached on 5:30am - 2:00pm (Monday - Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John J Park
Examiner
Art Unit 2876



STEVEN S. PAIK
PRIMARY EXAMINER